

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
REGION 8

IN THE MATTER OF:)	U.S. EPA Docket No. _____
)	
Columbia Falls Aluminum Plant)	CERCLA Docket No. 08-2016-0002
a/k/a Anaconda Aluminum Co. Columbia Falls)	
Reduction Plant)	
)	
Columbia Falls Aluminum Company, LLC,)	ADMINISTRATIVE SETTLEMENT
)	AGREEMENT AND ORDER ON
Respondent.)	CONSENT FOR REMEDIAL
)	INVESTIGATION/FEASIBILITY
Proceeding Under Sections 104, 107)	STUDY – AMENDMENT #2
and 122 of the Comprehensive)	
Environmental Response, Compensation,)	
and Liability Act, as amended,)	
42 U.S.C. §§ 9604,)	
9607 and 9622.)	

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 8
ADMINISTRATIVE SETTLEMENT AGREEMENT
AND ORDER ON CONSENT FOR
REMEDIAL INVESTIGATION/FEASIBILITY STUDY
AMENDMENT #2

WORK PLAN SCHEDULE MODIFICATION
AND SECTION XXIX CHANGE

1. Pursuant to Section XXIX (Effective Date and Subsequent Modification) of the 2015 Administrative Order on Consent (Settlement Agreement), by mutual agreement of the Environmental Protection Agency (EPA) and Respondent Columbia Falls Aluminum Company, LLC (Parties), the Parties agree to amend the Settlement Agreement and its Remedial Investigation/Feasibility Study Work Plan schedule with respect to the following deliverable: Draft Candidate Technologies and Remedial Alternatives Memorandum. This deliverable is now no longer required to be submitted to EPA as a separate deliverable and the substance of such former deliverable shall be included in the Feasibility Study Work Plan as shown on the revised Table 3 to the RI/FS Work Plan. The revised Table 3 is incorporated by reference into the 2015 Administrative Order on Consent and is attached to this filing for purposes of maintaining a complete and accurate record.

2. Further pursuant to Section XXIX (Effective Date and Subsequent Modification) of the Settlement Agreement, the Parties agreed to amend the Settlement Agreement as follows:

114a. Notwithstanding anything to the contrary in Paragraph 42 and as mutually agreed by the Parties, EPA's RPM may modify any plan or schedule or the RI/FS Work Plan in writing or by oral direction. Any oral modification will be memorialized in writing by EPA promptly, but shall have as its effective date the date of EPA's RPM oral direction. Any other requirements of this Settlement may be modified in writing by mutual agreement of the Parties.

114b. Notwithstanding anything to the contrary in Paragraph 42, if Respondent seeks permission to deviate from any approved work plan or schedule or the RI/FS Work Plan, Respondent's Project Coordinator shall submit a written request to EPA for approval outlining the proposed modification and its basis. Respondent may not proceed with the requested deviation until receiving oral or written approval from EPA's RPM pursuant to Paragraph 114a.

Agreed this 1 day of November, 2018.

For Respondent Columbia Falls Aluminum Company

By: Cheryl A. Dineen

Title: Corporate Secretary

It is so ORDERED AND AGREED this _____ day of _____, 2018.

U.S. ENVIRONMENTAL PROTECTION AGENCY
REGION 8

By: _____

Date: _____

Bill Murray

Director, Superfund Remedial & Federal Facilities Program
Office of Ecosystem Protection and Remediation

By: _____

Date: _____

Suzanne J. Bohan

Assistant Regional Administrator
Office of Enforcement, Compliance
and Environmental Justice